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***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

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In re application of: Thomas

Attorney Docket No.: CDT002DC1

Application No.: herewith

Examiner: J. Cheng

Filed: concurrently

Group: 3713

Title: METHOD AND APPARATUS FOR  
IMPROVING PERFORMANCE ON MULTIPLE-  
CHOICE EXAMS

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 29, 2003.

Signed: \_\_\_\_\_

C. Douglass Thomas

**FIRST INFORMATION DISCLOSURE STATEMENT  
37 CFR §§1.56 AND 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The references listed in the attached PTO Form 1449 may be material to examination of the above-identified patent application. Applicants submit the list of these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56 and 1.97. The Examiner is requested to make these references of official record in this application. The above-identified application is a continuation of U.S. Patent Application No. 10/273,430, which is a continuation of U.S. Patent Application No. 09/542,999, which is a continuation of prior application U.S. Patent Application No. 09/253,851, which is a continuation of prior application U.S. Patent Application No. 08/810,547, and which is a continuation of prior application U.S. Patent Application No. 08/315,976. These prior applications are being relied upon for an earlier filing date under 35 U.S.C. § 120. Because the listed references were either cited by the PTO, or submitted to the PTO in the prior application, under 37 CFR § 1.98(d) Applicants submit that copies need not be provided.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits, or (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under §1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. RLC1G000).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Douglass Thomas", is written over the printed name.

C. Douglass Thomas  
Registration No. 32,947

<b>Form 1449 (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  (Use Several Sheets if Necessary)	Atty Docket No.: CDT002DC1 Applicant: Thomas	Serial No.: cont. of 10/273,430
	Filing Date: herewith	Group: 3713

### U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A	3,546,791	12/1970	Koos et al.			
	B	4,798,543	1/1989	Spiece			
	C	4,867,685	9/1989	Brush et al.			
	D	5,002,491	3/1991	Abrahamson et al.			
	E	5,018,082	5/1991	Obata et al.			
	F	5,033,969	7/1991	Kamimura			
	G	5,035,625	7/1991	Munson et al.			
	H	5,178,545	1/1993	Thompson			
	I	5,204,813	4/1993	Samph et al.			
	J	5,211,563	5/1993	Haga et al.			
	K	5,218,537	6/1993	Hemphill et al.			
	L	5,228,859	7/1993	Rowe			

### Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	M	Computer-based Testing (CBT) Program Supplement to the 1992-93 GRE Information Bulletin, Educational Testing Service, 1992.
	N	Computer-based Testing (CBT) Program Supplement to the 1993-94 GRE Information Bulletin, Educational Testing Service, 1993.
	O	The SMH Personal Tutor, SMH Bar Review, printed in National Jurist, Feb./Mar. 1994.
	P	The Law in a Flash Series (Product Catalog), Professional Flash Cards, Ltd., 1993 (TestMaster Computer Software).
	Q	SmartStudy software program, BAR/BRI Multistate Testing: Bar Review, by Engineering Associates and Harcourt Brace Legal & Professional Publications, Inc.
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	R	5,616,033	7/1997	Kerwin			
	S	5,257,185	10/1993	Farley et al.			
	T	5,267,865	12/1993	Lee et al.			
	U	5,302,132	4/1994	Corder			
	V	5,306,154	4/1994	Ujita et al.			
	W	5,310,349	5/1994	Daniels et al.			
	X	5,316,485	5/1994	Hirose			
	Y	5,421,730	6/1995	Lasker, III et al.			
	Z	5,379,213	1/1995	Derks			
	AA	5,411,271	5/1995	Mirando			
	BB	5,456,607	10/1995	Antoniak			
	CC	5,586,889	12/1996	Goodman			
	DD	4,592,546	6/1986	Fascenda et al.			
	EE	4,593,904	6/1986	Graves			
	FF	4,829,431	5/1989	Ott et al.			

### Other Documents

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#### U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	GG	4,337,047	6/1982	Hatta			
	HH	4,358,273	11/1982	Yamamoto			
	II	5,632,624	5/1997	Cameron et al.			
	JJ	5,820,386	10/1998	Sheppard, II			

#### Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	KK	Conviser Duffy and Logicat, "PassMaster: The Intermediate Accounting Supplement of Choice," Harcourt Brace Jovanovich, 1992, pp. 1-12.
	LL	Conviser Duffy and Logicat, PassMaster marketing material, 1992.
	MM	Conviser Duffy and Logicat, "PassMaster CPA Review Software," 1990.
	NN	"Computer Test Prep Meets the New SAT," PC Magazine, September 13, 1994, pp. 467-468
	OO	Sleeman, "Intelligent Tutoring Systems: A Review," Proceedings of EdCompCon, IEEE Computer Society, October 18-20, 1983, pp. 95-101.
	PP	Jelovsek et al., "Application of Teaching and Learning Principles to Computer-Aided Instruction," Computing M.D., Vol. 6, No. 5, September/October 1989, pp. 267-273.
	QQ	Jeffreys et al., "A Freely-Available Authoring System for the IBM PC," Proceedings of the Ninth Annual Symposium on Computer Applications in Medial Care, IEEE Computer Society, November 10-13, 1985, pp. 575-579.
	RR	Hause et al., "Effective Computer Aided Instruction in Biomedical Science," IEEE, 1985, pp. 534-538.
	SS	Ananda et al., "Design of an Intelligent On-line Examination System," Computer Educ., Vol. 13, No. 1, 1989, pp. 45-52.
	TT	Lee-Sammons et al., "Computerized practice tests and effects on in-class exams," Behavior Research Methods, Instruments & Computers, Vol. 21, No. 2, 1989, pp. 189-194.
	UU	Loose, "Finding the Appropriate Instructional Text from Question Performance Evaluation : A Prototype Interface," 2nd <sup>d</sup> Int'l Conference on Computer Aided Learning, 1989.
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**Other Documents**

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	VV	Grabe et al., "The Impact of Computer Supported Study on Student Awareness of Examination Preparation and on Examination Performance," Journal of Computer Based Instruction, Vol. 17, No. 4, 1990, pp. 113-119.
	WW	Grabe et al., "An Evaluation of Computer Assisted Study in Controlled and Free Access Settings," Journal of Computer Based Instruction, Vol. 16, No. 3, 1989, pp. 110-116.
	XX	Georgianis, "Cliffs Notes debuts series of apps for course review," Computer Reseller News, May 3, 1993.
	YY	Scisco, "Cliffs StudyWare for the SAT," PC Magazine, Vol. 12, No. 15, September 14, 1993.
	ZZ	Sides, "StudyWare for the SAT," Compute, Vol. 13, No. 10, October 1991.
	AAA	Yakal, "StudyWare for the GRE," Compute, Vol. 13, No. 9, September 1991.
	BBB	Schneider, "Keeping up with the SATs," Technology & Learning, Vol. 15, No. 1, September 1994.
	CCC	StudySmart for Contracts, BARBRI Bar Review, 1994.
	DDD	Kaplan-MCAT, Kaplan Educational Center, 1994.
	EEE	Cliffs StudyWare for Chemistry, Cliffs Notes, Inc. 1993.
	FFF	Cliffs StudyWare for the GRE, Cliffs Notes, Inc. 1993.
	GGG	Cliffs StudyWare for the SAT I, Cliffs Notes, Inc. 1994.
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	GGG	3,879,863	4/1975	Georges			
	HHH	3,992,092	11/1976	Place			
	III	4,541,806	9/1985	Zimmerman et al.			
	JJJ	RE 34,915	4/1995	Nichtberger et al.			
	KKK	4,898,537	2/1990	Pryor			
	LLL	5,211,564	5/1993	Martinez et al.			
	MMM	5,331,137	7/1994	Swartz			
	NNN	5,362,950	11/1994	Larocque			
	OOO	5,557,512	9/1996	Vanko			
	PPP	5,618,182	4/1997	Thomas			
	QQQ	5,885,087	3/1999	Thomas			
	RRR	6,086,382	7/2000	Thomas			
	SSS	6,514,884 B1	2/2003	Thomas			

Examiner	Date Considered
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